

The Office Action rejects claims 1-13 under 35 U.S.C. §102(b) over U.S. Patent No. 6,385,523 to Yokoyama et al. in view of Japanese Patent Publication No. JP-200237044 (corresponding to U.S. Patent No. 6,595,600 to Banno et al.).¹

In support of the rejection, the Office Action relies on column 2, line 65 to column 3, line 11 and Figure 6 of Yokoyama. However, this merely determines the condition when some form of braking force distribution control begins. Fig. 6 merely shows pressure applied to the front brakes during normal braking or rapid braking and has nothing to do with control of forces, restriction of rear brake force, or an increase in front force based on the restricted rear brake force amount. Fig. 5 merely shows that what occurs before time period t2 is natural operation of the brakes before brake force control distribution. However, there is no clear teaching in Yokoyama of the claim features of independent claims 1 and 4 as alleged, in which once distribution control is begun, the system increments front brake pressure based on a restricted amount of rear brake pressure.

That is, Yokoyama fails to teach "wherein as the front wheel braking force increases during execution of the braking force distribution control operation, the device controls the braking force generating apparatuses of the front wheels to increment the front wheel braking force beyond the braking force increase by an amount based on a restricted amount of the braking force on the rear wheels" as recited in independent claim 1. Moreover, Yokoyama fails to teach a "device executing a braking force distribution control operation in which a braking force on the rear wheels is lowered in comparison with a braking force on the front wheels when an operational condition monitored by a sensor among the at least one sensor satisfies a predetermined condition, wherein the braking force on the front wheels during

¹ Although rejected under 35 U.S.C. §102(b), it is clear that the rejection was intended to be based under 35 U.S.C. §103(a), because the Examiner relies on two references in making the rejection.

execution of the braking force distribution control operation is increased, and wherein a braking force increment on the front wheels beyond the braking force increase corresponding to the braking action is determined based upon an increment of the braking action by the driver detected by the detector" as recited in independent claim 4.

Banno fails to overcome the deficiencies of Yokoyama with respect to independent claims 1 and 4. The Office Action relies on column 8, line 64 to column 9, line 5 of the secondary reference to Banno to teach restricting the increase of braking in the rear wheels upon initiation of the brake force distribution. However, this controls the reduction of rear brake pressure and does not teach or appreciate the problem being solved in which the front pressure is incremented by an amount based on the restricted amount of rear braking or beyond a braking force corresponding to the braking action. That is, Figs. 4 and 5 of Banno show a limiting of rear wheel cylinder pressure, but fail to teach or suggest increasing of the front pressure as claimed. Thus, even if the two references are combined, the combination does not teach or suggest the subject matter of independent claims 1 and 4 or claims dependent therefrom.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Stephen P. Catlin
Registration No. 36,101

JAO:SPC/eks

Date: March 12, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--